

WEDNESDAY, MAY 28, 2003
FORTY-SIXTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 3:00 p.m., and was called to order by Mr. Speaker Wilder.

PRAYER

The proceedings were opened with prayer by the Reverend Ferinand Gant of New Jerusalem Christian Center in Selmer, Tennessee, a guest of Mr. Speaker Wilder.

PLEDGE OF ALLEGIANCE

Senator Graves led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

STANDING COMMITTEE REPORTS

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Resolution No. 97; and Senate Joint Resolution No. 579.

PERSON, Chairperson
May 27, 2003

The Speaker announced that he had referred Senate Resolution No. 97; and Senate Joint Resolution No. 579 to Committee on Calendar.

COMMERCE, LABOR AND AGRICULTURE

MR. SPEAKER: Your Committee on Commerce, Labor and Agriculture begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 698.

COOPER, Chairperson
May 27, 2003

The Speaker announced that he had referred Senate Bill No. 698 to Committee on Calendar.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 412 with amendment, 1273, 1577 with amendments and 1861.

HENRY, Chairperson
May 28, 2003

The Speaker announced that he had referred Senate Bills Nos. 412 with amendment, 1273, 1577 with amendments and 1861 to Committee on Calendar.

GENERAL WELFARE, HEALTH AND HUMAN RESOURCES

MR. SPEAKER: Your Committee on General Welfare, Health and Human Resources begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1971 with amendment.

FORD, Chairperson
May 28, 2003

The Speaker announced that he had referred Senate Bill No. 1971 with amendment to Committee on Calendar.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 602, 1026, 1033, 1034, 1036, 1473, 1477, 1479, 1484, 1486, 1488 and 1669.

HARPER, Chairperson
May 28, 2003

The Speaker announced that he had referred Senate Bills Nos. 602, 1026, 1033, 1034, 1036, 1473, 1477, 1479, 1484, 1486, 1488 and 1669 to Committee on Calendar.

INTRODUCTION OF BILL

The Speaker announced that the following bill was filed for introduction and passed first consideration:

Senate Bill No. 2050 by Mr. Speaker Wilder.

Saltillo -- Subject to local approval, changes date of town election. Amends Chapter 699 of the Private Acts of 1951; as amended.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 158 -- State Government -- Makes various changes to improve efficiencies and revenues of various entities of state government. Amends TCA Title 4; Title 8; Title 9; Title 16; Title 17; Title 18; Title 37; Title 38; Title 39; Title 40; Title 41 and Title 67.

House Bill No. 441 -- Mental Illness -- Limits admission for court-ordered pretrial evaluation of criminal defendant believed incompetent to stand trial at state facility to 10 days from entry of court's order. Amends TCA Section 33-7-301.

House Bill No. 886 -- Civil Service -- Reduces number of state employees categorized as executive service employees for civil service purposes. Amends TCA Title 8, Chapter 30.

House Bill No. 961 -- Election Laws -- Deletes requirement of notice to candidate or committee when person has inspected campaign financial disclosure records. Amends TCA Section 2-10-111.

House Bill No. 974 -- Mental Health and Developmental Disabilities, Dept. of -- Requires department to establish continuum of essential behavioral health services. Amends TCA Title 33.

House Bill No. 1077 -- Pensions and Retirement Benefits -- Authorizes reemployment of retired county employees without loss or suspension of retirement benefits upon acceptance of liability for such by county legislative body; such retiree may not accrue additional retirement benefits as result of such employment. Amends TCA Title 8, Chapter 36, Part 8.

House Bill No. 1343 -- TennCare -- Requires comptroller's annual actuarial study to include certain analysis and calculations. Amends TCA Title 71, Chapter 5.

House Bill No. 1386 -- TennCare -- Adds intent of General Assembly to stabilize TennCare health care provider network and to assure providers are paid timely to ensure providers remain viable; requires comptroller to report on adequacy of provider networks by January 1, 2004. Amends TCA Title 3; Title 33; Title 36; Title 47; Title 56; Title 68 and Title 71.

House Bill No. 1424 -- Health Care -- Changes, eliminates or expands certain categories of fees payable by service provider licensees to state health care planning and advisory board. Amends TCA Title 68, Chapter 11, Part 16.

House Bill No. 1520 -- Sunset Laws -- Judicial council, June 30, 2009. Amends TCA Title 4, Chapter 29 and Title 16, Chapter 21.

House Bill No. 2122 -- Wilson County -- Subject to local approval, enacts adequate facilities tax.

House Bill No. 2126 -- Macon County -- Subject to local approval, authorizes county to regulate certain abandoned, wrecked, dismantled, junked or inoperative motor vehicles.

House Bill No. 2127 -- Hardeman County -- Subject to local approval, revises certain budget procedures relative to education fund. Amends Chapter 68 of the Private Acts of 1937.

House Bill No. 2128 -- Macon County -- Subject to local approval, enacts nuisance law for health and sanitation violations.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

Senate Bill No. 2046 held on desk.

Senate Bill No. 2047 held on desk.

Senate Bill No. 2048 held on desk.

Senate Bill No. 2049 held on desk.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 600 by Senator Herron.

Memorials, Public Service -- George Thomas, Esq., Grand Marshal of Dresden Iris Day Parade.

Senate Joint Resolution No. 601 by Senator Herron.

Memorials, Academic Achievement -- John Kevin Bay, Salutatorian, Union City High School.

Senate Joint Resolution No. 602 by Senator Herron.

Memorials, Academic Achievement -- Beth Frances Brown, Valedictorian, Union City High School.

Senate Joint Resolution No. 603 by Senator Herron.

Memorials, Academic Achievement -- Mallary Hodges, Salutatorian, Gleason High School.

Senate Joint Resolution No. 604 by Senator Herron.

Memorials, Academic Achievement -- Haley Anne Hudson, Valedictorian, Gleason High School.

Senate Joint Resolution No. 605 by Senator Herron.

Memorials, Professional Achievement -- Anita Baltimore, President-Elect of American Society of Interior Designers.

Senate Joint Resolution No. 606 by Senator Clabough.

Memorials, Academic Achievement -- Zachary Roeder, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 607 by Senator Clabough.

Memorials, Academic Achievement -- Chenoa Dawn Allen, Valedictorian, Gatlinburg-Pittman High School.

Senate Joint Resolution No. 608 by Senator Beavers.

Memorials, Professional Achievement -- Mt. Juliet/West Wilson County Chamber of Commerce, 25th anniversary.

Senate Joint Resolution No. 609 by Senator Herron.

Memorials, Death -- Edward Rupert "Eddie" Cox.

Senate Joint Resolution No. 610 by Senators Burchett, Atchley, Beavers, Bryson, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder.
Memorials, Death -- Sgt. Maj. Mildred Kelly.

Senate Joint Resolution No. 611 by Senator Cohen.
Memorials, Interns -- Adam Nahmias.

Senate Joint Resolution No. 612 by Senator Cohen.
Memorials, Interns -- Courtney McEwen.

Senate Joint Resolution No. 613 by Senator Herron.
Memorials, Death -- Chancellor Joe C. Morris.

Senate Joint Resolution No. 614 by Senator Herron.
Memorials, Professional Achievement -- Judge Thomas L. Moore, Jr.

Senate Joint Resolution No. 615 by Senator Herron.
Memorials, Sports -- Ashley McElhiney, outstanding basketball career.

Senate Resolution No. 103 by Senators Williams, Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder.
Memorials, Retirement -- Martha Irwin.

Senate Resolution No. 104 by Senator Williams.
Memorials, Heroism -- Captain Stephen Shrader.

Senate Resolution No. 105 by Senator Harper.
Memorials, Interns -- Aketa Simmons.

Senate Resolution No. 106 by Senator Norris.
Memorials, Sports -- Calypso.

Senate Resolution No. 107 by Senators McNally and Burks.
General Assembly, Directed Studies -- Directs select oversight committee on education to study governance system of higher education in Tennessee.

RESOLUTIONS LYING OVER

House Joint Resolution No. 401 -- Highway Signs -- "Ronnie C. Presley Memorial Bridge" on U.S. 70 North Bypass in Lebanon.

The Speaker announced that he had referred House Joint Resolution No. 401 to Committee on Transportation.

House Joint Resolution No. 417 -- Highway Signs -- "SFC Joseph D. Bailey Bridge" over Bartons Creek on U.S. Highway 70 North Bypass in Lebanon.

The Speaker announced that he had referred House Joint Resolution No. 417 to Committee on Transportation.

House Joint Resolution No. 640 -- Memorials, Sports -- Dickson County softball.

The Speaker announced that he had referred House Joint Resolution No. 640 to Committee on Calendar.

House Joint Resolution No. 641 -- Memorials, Recognition -- Shannon Stoner Bottoms.

The Speaker announced that he had referred House Joint Resolution No. 641 to Committee on Calendar.

House Joint Resolution No. 644 -- Memorials, Congratulations -- Centennial celebration of founding of Greenbriar.

The Speaker announced that he had referred House Joint Resolution No. 644 to Committee on Calendar.

House Joint Resolution No. 645 -- Memorials, Professional Achievement -- Ann Davis Black, Phi Delta Kappa, Inc.

The Speaker announced that he had referred House Joint Resolution No. 645 to Committee on Calendar.

House Joint Resolution No. 646 -- Memorials, Retirement -- Linda Grayson Jones.

The Speaker announced that he had referred House Joint Resolution No. 646 to Committee on Calendar.

House Joint Resolution No. 647 -- Memorials, Death -- James Clifford "Jimmy" Hill.

The Speaker announced that he had referred House Joint Resolution No. 647 to Committee on Calendar.

House Joint Resolution No. 648 -- Memorials, Academic Achievement -- Lindsey Leann Ross, Salutatorian, Clarksburg High School.

The Speaker announced that he had referred House Joint Resolution No. 648 to Committee on Calendar.

House Joint Resolution No. 649 -- Memorials, Academic Achievement -- Jeremy Cary, Student of the Year, Clarksburg High School.

The Speaker announced that he had referred House Joint Resolution No. 649 to Committee on Calendar.

House Joint Resolution No. 650 -- Memorials, Academic Achievement -- Dusty James Boyd, Valedictorian, Clarksburg High School.

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The Speaker announced that he had referred House Joint Resolution No. 650 to Committee on Calendar.

House Joint Resolution No. 652 -- Memorials, Professional Achievement -- Robert Bruce Wilson.

The Speaker announced that he had referred House Joint Resolution No. 652 to Committee on Calendar.

House Joint Resolution No. 653 -- Memorials, Personal Achievement -- Sarah Grizzell, Girl Scout Gold Award.

The Speaker announced that he had referred House Joint Resolution No. 653 to Committee on Calendar.

House Joint Resolution No. 654 -- Memorials, Personal Achievement -- Caitlin Miller, Girl Scout Gold Award.

The Speaker announced that he had referred House Joint Resolution No. 654 to Committee on Calendar.

House Joint Resolution No. 655 -- Memorials, Personal Achievement -- Melinda Ratcliff, Girl Scout Gold Award.

The Speaker announced that he had referred House Joint Resolution No. 655 to Committee on Calendar.

House Joint Resolution No. 656 -- Memorials, Personal Achievement -- Shannon Keathley, Girl Scout Gold Award.

The Speaker announced that he had referred House Joint Resolution No. 656 to Committee on Calendar.

House Joint Resolution No. 657 -- Memorials, Interns -- Caleb Hemmer.

The Speaker announced that he had referred House Joint Resolution No. 657 to Committee on Calendar.

House Joint Resolution No. 658 -- Memorials, Professional Achievement -- Mike Hamilton, UT Athletics Director.

The Speaker announced that he had referred House Joint Resolution No. 658 to Committee on Calendar.

House Joint Resolution No. 659 -- Memorials, Interns -- Marilyn White.

The Speaker announced that he had referred House Joint Resolution No. 659 to Committee on Calendar.

House Joint Resolution No. 661 -- Memorials, Public Service -- Tennessee River 600.

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The Speaker announced that he had referred House Joint Resolution No. 661 to Committee on Calendar.

Senate Joint Resolution No. 548 -- Memorials, Academic Achievement -- Grae A. Hinds, Valedictorian, Heritage High School.

The Speaker announced that he had referred Senate Joint Resolution No. 548 to Committee on Calendar.

Senate Joint Resolution No. 549 -- Memorials, Academic Achievement -- Sarah Rae Strunk, Salutatorian, Maryville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 549 to Committee on Calendar.

Senate Joint Resolution No. 550 -- Memorials, Academic Achievement -- Bradley Mark Colquitt, Valedictorian, Maryville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 550 to Committee on Calendar.

Senate Joint Resolution No. 551 -- Memorials, Academic Achievement -- Jesse Meiers, Salutatorian, Heritage High School.

The Speaker announced that he had referred Senate Joint Resolution No. 551 to Committee on Calendar.

Senate Joint Resolution No. 552 -- Memorials, Academic Achievement -- Koral Stache, Salutatorian, Alcoa High School.

The Speaker announced that he had referred Senate Joint Resolution No. 552 to Committee on Calendar.

Senate Joint Resolution No. 553 -- Memorials, Academic Achievement -- Stacy Honabach, Valedictorian, Alcoa High School.

The Speaker announced that he had referred Senate Joint Resolution No. 553 to Committee on Calendar.

Senate Joint Resolution No. 554 -- Memorials, Academic Achievement -- Heather Rachelle Dockins, Salutatorian, William Blount High School.

The Speaker announced that he had referred Senate Joint Resolution No. 554 to Committee on Calendar.

Senate Joint Resolution No. 555 -- Memorials, Academic Achievement -- Ashley Lorraine Kissick, Valedictorian, William Blount High School.

The Speaker announced that he had referred Senate Joint Resolution No. 555 to Committee on Calendar.

Senate Joint Resolution No. 556 -- Memorials, Academic Achievement -- Ashley Suzette Goins, Salutatorian, Heritage High School.

The Speaker announced that he had referred Senate Joint Resolution No. 556 to Committee on Calendar.

Senate Joint Resolution No. 557 -- Memorials, Academic Achievement -- Brent Baxley, Salutatorian, Seymour High School.

The Speaker announced that he had referred Senate Joint Resolution No. 557 to Committee on Calendar.

Senate Joint Resolution No. 558 -- Memorials, Academic Achievement -- Karie Thomas, Valedictorian, Seymour High School.

The Speaker announced that he had referred Senate Joint Resolution No. 558 to Committee on Calendar.

Senate Joint Resolution No. 559 -- Memorials, Sports -- Kendall Cavin, Class AA Miss Basketball.

The Speaker announced that he had referred Senate Joint Resolution No. 559 to Committee on Calendar.

Senate Joint Resolution No. 560 -- Memorials, Academic Achievement -- Rachel Reagan, Valedictorian, Dresden High School.

The Speaker announced that he had referred Senate Joint Resolution No. 560 to Committee on Calendar.

Senate Joint Resolution No. 561 -- Memorials, Academic Achievement -- Katie Atnip, Valedictorian, Greenfield High School.

The Speaker announced that he had referred Senate Joint Resolution No. 561 to Committee on Calendar.

Senate Joint Resolution No. 562 -- Memorials, Death -- Leon Tittle.

The Speaker announced that he had referred Senate Joint Resolution No. 562 to Committee on Calendar.

Senate Joint Resolution No. 563 -- Memorials, Academic Achievement -- Kate Leeann Moore, Salutatorian, Dresden High School.

The Speaker announced that he had referred Senate Joint Resolution No. 563 to Committee on Calendar.

Senate Joint Resolution No. 564 -- Memorials, Academic Achievement -- Joseph T. Muncey, Valedictorian, Calvary Christian School.

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The Speaker announced that he had referred Senate Joint Resolution No. 564 to Committee on Calendar.

Senate Joint Resolution No. 565 -- Memorials, Academic Achievement -- Allison L. Schmidt, Valedictorian, Tullahoma High School.

The Speaker announced that he had referred Senate Joint Resolution No. 565 to Committee on Calendar.

Senate Joint Resolution No. 566 -- General Assembly, Adjournment -- Adjourns 2003 session of 103rd General Assembly on Wednesday, May 28, 2003.

The Speaker announced that he had referred Senate Joint Resolution No. 566 to Committee on Calendar.

Senate Joint Resolution No. 567 -- Memorials, Academic Achievement -- David Brandon McCall, Salutatorian, Greenfield High School.

The Speaker announced that he had referred Senate Joint Resolution No. 567 to Committee on Calendar.

Senate Joint Resolution No. 568 -- Memorials, Academic Achievement -- Chase Espy, Salutatorian, Obion High School.

The Speaker announced that he had referred Senate Joint Resolution No. 568 to Committee on Calendar.

Senate Joint Resolution No. 569 -- Memorials, Academic Achievement -- Matthew Craig Gordon, Valedictorian, Westview High School.

The Speaker announced that he had referred Senate Joint Resolution No. 569 to Committee on Calendar.

Senate Joint Resolution No. 570 -- Memorials, Academic Achievement -- Jill Konkol, Valedictorian, Obion County Central High School.

The Speaker announced that he had referred Senate Joint Resolution No. 570 to Committee on Calendar.

Senate Joint Resolution No. 571 -- Memorials, Academic Achievement -- Ronald Peckham, Salutatorian, Westview High School.

The Speaker announced that he had referred Senate Joint Resolution No. 571 to Committee on Calendar.

Senate Joint Resolution No. 572 -- Memorials, Academic Achievement -- Gregory Chase Richardson, Salutatorian, Perry County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 572 to Committee on Calendar.

Senate Joint Resolution No. 573 -- Memorials, Academic Achievement -- Nicholas Ray Simmons, Valedictorian, Perry County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 573 to Committee on Calendar.

Senate Joint Resolution No. 574 -- Memorials, Academic Achievement -- Anna Marie Smith, Salutatorian, Pigeon Forge High School.

The Speaker announced that he had referred Senate Joint Resolution No. 574 to Committee on Calendar.

Senate Joint Resolution No. 575 -- Memorials, Academic Achievement -- Kandyce Paquette, Valedictorian, Pigeon Forge High School.

The Speaker announced that he had referred Senate Joint Resolution No. 575 to Committee on Calendar.

Senate Joint Resolution No. 576 -- Memorials, Academic Achievement -- G. Jacob Sutherland, Valedictorian, Pigeon Forge High School.

The Speaker announced that he had referred Senate Joint Resolution No. 576 to Committee on Calendar.

Senate Joint Resolution No. 577 -- Memorials, Academic Achievement -- Michelle Martin, Valedictorian, Pigeon Forge High School.

The Speaker announced that he had referred Senate Joint Resolution No. 577 to Committee on Calendar.

Senate Joint Resolution No. 578 -- Memorials, Academic Achievement -- Rebekah Manis, Salutatorian, Pigeon Forge High School.

The Speaker announced that he had referred Senate Joint Resolution No. 578 to Committee on Calendar.

Senate Joint Resolution No. 580 -- Memorials, Congratulations -- Honors THDA for performance as Tennessee's lead housing agency.

The Speaker announced that he had referred Senate Joint Resolution No. 580 to Committee on Calendar.

Senate Joint Resolution No. 581 -- Memorials, Academic Achievement -- Amanda June Blakley, Valedictorian, Oneida High School.

The Speaker announced that he had referred Senate Joint Resolution No. 581 to Committee on Calendar.

Senate Joint Resolution No. 582 -- Memorials, Academic Achievement -- Adam Christopher Cross, Valedictorian, Oneida High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 582 to Committee on Calendar.

Senate Joint Resolution No. 583 -- Memorials, Academic Achievement -- Catherine Lay, Salutatorian, Oneida High School.

The Speaker announced that he had referred Senate Joint Resolution No. 583 to Committee on Calendar.

Senate Joint Resolution No. 584 -- Memorials, Academic Achievement -- Andrew Lowe, Valedictorian, Oneida High School.

The Speaker announced that he had referred Senate Joint Resolution No. 584 to Committee on Calendar.

Senate Joint Resolution No. 585 -- Memorials, Academic Achievement -- Audrey Calkins, Valedictorian, Sevier County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 585 to Committee on Calendar.

Senate Joint Resolution No. 586 -- Memorials, Academic Achievement -- Chasity Gibbs, Valedictorian, Sevier County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 586 to Committee on Calendar.

Senate Joint Resolution No. 587 -- Memorials, Academic Achievement -- Matthew Vodraska, Valedictorian, Sevier County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 587 to Committee on Calendar.

Senate Joint Resolution No. 588 -- Memorials, Academic Achievement -- Ellen Laura Ramsden, Salutatorian, Gatlinburg-Pittman High School.

The Speaker announced that he had referred Senate Joint Resolution No. 588 to Committee on Calendar.

Senate Joint Resolution No. 589 -- Memorials, Academic Achievement -- Laura Arnold, Valedictorian, Sevier County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 589 to Committee on Calendar.

Senate Joint Resolution No. 590 -- Memorials, Academic Achievement -- Margaret Jesse McElrath, Valedictorian, Sevier County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 590 to Committee on Calendar.

Senate Joint Resolution No. 591 -- Memorials, Academic Achievement -- Charles McKinley Caylor, Salutatorian, Sevier County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 591 to Committee on Calendar.

Senate Joint Resolution No. 592 -- Memorials, Academic Achievement -- Stacey Tarver, Valedictorian, Gatlinburg-Pittman High School.

The Speaker announced that he had referred Senate Joint Resolution No. 592 to Committee on Calendar.

Senate Joint Resolution No. 593 -- Memorials, Academic Achievement -- Emily Shay Phillips, Valedictorian, Gatlinburg-Pittman High School.

The Speaker announced that he had referred Senate Joint Resolution No. 593 to Committee on Calendar.

Senate Joint Resolution No. 594 -- Memorials, Academic Achievement -- Devon Castillo, Salutatorian, Sevier County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 594 to Committee on Calendar.

Senate Joint Resolution No. 595 -- Memorials, Academic Achievement -- Leslie Ray "Tater" Higdon, Salutatorian, Sequatchie County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 595 to Committee on Calendar.

Senate Joint Resolution No. 596 -- Memorials, Academic Achievement -- Laura Elizabeth Aldrich, Valedictorian, Sequatchie County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 596 to Committee on Calendar.

Senate Joint Resolution No. 597 -- Memorials, Professional Achievement -- Nossi College of Art, 30th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 597 to Committee on Calendar.

Senate Joint Resolution No. 598 -- Memorials, Death -- Lawson "Wayne" White.

The Speaker announced that he had referred Senate Joint Resolution No. 598 to Committee on Calendar.

Senate Joint Resolution No. 599 -- Memorials, Public Service -- Nathan James.

The Speaker announced that he had referred Senate Joint Resolution No. 599 to Committee on Calendar.

Senate Resolution No. 98 -- Memorials, Retirement -- Reverend A. G. Jones.

The Speaker announced that he had referred Senate Resolution No. 98 to Committee on Calendar.

Senate Resolution No. 100 -- Memorials, Interns -- Joanna Koplan.

The Speaker announced that he had referred Senate Resolution No. 100 to Committee on Calendar.

Senate Resolution No. 101 -- Memorials, Public Service -- Graham and Gigi Shafer.

The Speaker announced that he had referred Senate Resolution No. 101 to Committee on Calendar.

Senate Resolution No. 102 -- Memorials, Interns -- Daniel W. Everson.

The Speaker announced that he had referred Senate Resolution No. 102 to Committee on Calendar.

MOTION

Senator Henry moved that **Senate Bill No. 1527** be rereferred to the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

Senator Henry moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1527** and **Senate Resolution No. 97** on the calendar for the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

Senator Henry moved that Rule 83(1) be suspended for the purpose of allowing the Committee on Finance, Ways and Means to meet today when the Senate stands in recess, which motion prevailed.

MOTION

Senator Person moved that **Senate Joint Resolution No. 579** be removed from the Consent Calendar and placed on the calendar for the Committee on Finance, Ways and Means for today, which motion prevailed.

MOTION

Senator Miller moved that Rule 83 be suspended for the purpose of allowing the Committee on Environment, Conservation and Tourism to meet to consider **House Joint Resolutions Nos. 454 and 542**, which motion prevailed.

MOTION

Senator Crowe moved that Rule 37 be suspended for the purpose of allowing any bills that pass out of the standing committees to be placed on the calendar for Thursday, May 29, 2003, which motion prevailed.

MOTION

Senator Crowe moved that Rule 38 be suspended for the purpose of allowing all resolutions and all uncontested regular bills to be placed on the Consent Calendar for Thursday, May 29, 2003, which motion prevailed.

MOTION

Senator Williams moved that the rules be suspended for the immediate consideration of **Senate Resolution No. 103**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Resolution No. 103 -- Memorials, Retirement -- Martha Irwin.

On motion of Senator Williams, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 103** was adopted by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

PRESENTATION

Senator Williams presented **Senate Resolution No. 103** to Ms. Martha Irwin.

MOTION

Senator Henry moved that pursuant to Rule 31, **Senate Bill No. 1899** be referred to the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

Senator Cooper moved that Rule 37 be suspended for the purpose of placing **Senate Bill No. 248** on the calendar for today, which motion prevailed.

MOTION

Senator Beavers moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 608**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 608 -- Memorials, Professional Achievement -- Mt. Juliet/West Wilson County Chamber of Commerce, 25th anniversary.

On motion of Senator Beavers, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 608** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Burchett moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 610**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 610 -- Memorials, Death -- Sgt. Maj. Mildred Kelly.

On motion of Senator Burchett, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 610** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that the rules be suspended for the immediate consideration of **Senate Resolution No. 106**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Resolution No. 106 -- Memorials, Sports -- Calypso.

On motion of Senator Norris, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 106** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Cohen moved that Rule 38 be suspended for the purpose of adding **Senate Joint Resolutions Nos. 611 and 612** to the Consent Calendar, which motion prevailed.

MOTION

Senator Crowe moved that **Senate Joint Resolution No. 447** be rereferred to the Committee on Calendar, which motion prevailed.

CONSENT CALENDAR

House Joint Resolution No. 543 -- Memorials, Recognition -- Honors and thanks President George W. Bush and men and women of United States Armed Forces who served during Operation Iraqi Freedom.

House Joint Resolution No. 627 -- Memorials, Interns -- Lisa Collins.

House Joint Resolution No. 628 -- Memorials, Retirement -- Robert E. "Bobby" Timmons, Jr.

House Joint Resolution No. 629 -- Memorials, Interns -- Michael Brandon Baggett.

House Joint Resolution No. 630 -- Memorials, Congratulations -- Robin Manning.

House Joint Resolution No. 631 -- Memorials, Congratulations -- Ashton Dominique Haun, Dream Angels Little Miss Easter.

House Joint Resolution No. 632 -- Memorials, Professional Achievement -- Grant Hardin, East Tennessee Historical Society Special Award of Distinction.

House Joint Resolution No. 633 -- Memorials, Personal Occasion -- Mr. and Mrs. Aubrey Ensor, 50th wedding anniversary.

House Joint Resolution No. 634 -- Memorials, Personal Occasion -- Martin and Ruby Bennett, 50th anniversary.

House Joint Resolution No. 635 -- Memorials, Professional Achievement -- Staff Sergeant Alex W. Murray, Cargo Aircraft Technician of the Year Award.

House Joint Resolution No. 637 -- Memorials, Death -- Curtis Selle.

House Joint Resolution No. 640 -- Memorials, Sports -- Dickson County Softball.

House Joint Resolution No. 641 -- Memorials, Recognition -- Shannon Stoner Bottoms.

House Joint Resolution No. 644 -- Memorials, Congratulations -- Centennial celebration of founding of Greenbrier.

House Joint Resolution No. 645 -- Memorials, Professional Achievement -- Ann Davis Black, Phi Delta Kappa, Inc.

House Joint Resolution No. 646 -- Memorials, Retirement -- Linda Grayson Jones.

House Joint Resolution No. 647 -- Memorials, Death -- James Clifford "Jimmy" Hill.

House Joint Resolution No. 648 -- Memorials, Academic Achievement -- Lindsey Leann Ross, Salutatorian, Clarksburg High School.

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House Joint Resolution No. 649 -- Memorials, Academic Achievement -- Jeremy Cary, Student of the Year, Clarksburg High School.

House Joint Resolution No. 650 -- Memorials, Academic Achievement -- Dusty James Boyd, Valedictorian, Clarksburg High School.

House Joint Resolution No. 652 -- Memorials, Professional Achievement -- Robert Bruce Wilson.

House Joint Resolution No. 653 -- Memorials, Personal Achievement -- Sarah Grizzell, Girl Scout Gold Award.

House Joint Resolution No. 654 -- Memorials, Personal Achievement -- Caitlin Miller, Girl Scout Gold Award.

House Joint Resolution No. 655 -- Memorials, Personal Achievement -- Melinda Ratcliff, Girl Scout Gold Award.

House Joint Resolution No. 656 -- Memorials, Personal Achievement -- Shannon Keathley, Girl Scout Gold Award.

House Joint Resolution No. 657 -- Memorials, Interns -- Caleb Hemmer.

House Joint Resolution No. 658 -- Memorials, Professional Achievement -- Mike Hamilton, UT Athletics Director.

House Joint Resolution No. 659 -- Memorials, Interns -- Marilyn White.

House Joint Resolution No. 661 -- Memorials, Public Service -- Tennessee River 600.

Senate Joint Resolution No. 546 -- Memorials, Academic Achievement -- Amanda Brooke Henry, Co-Valedictorian, Sequatchie County High School.

Senate Joint Resolution No. 547 -- Memorials, Academic Achievement -- Ashley Hopkins, Co-Valedictorian, Sequatchie County High School.

Senate Joint Resolution No. 548 -- Memorials, Academic Achievement -- Grae A. Hinds, Valedictorian, Heritage High School.

Senate Joint Resolution No. 549 -- Memorials, Academic Achievement -- Sarah Rae Strunk, Salutatorian, Maryville High School.

Senate Joint Resolution No. 550 -- Memorials, Academic Achievement -- Bradley Mark Colquitt, Valedictorian, Maryville High School.

Senate Joint Resolution No. 551 -- Memorials, Academic Achievement -- Jesse Meiers, Salutatorian, Heritage High School.

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Senate Joint Resolution No. 552 -- Memorials, Academic Achievement -- Koral Stache, Salutatorian, Alcoa High School.

Senate Joint Resolution No. 553 -- Memorials, Academic Achievement -- Stacy Honabach, Valedictorian, Alcoa High School.

Senate Joint Resolution No. 554 -- Memorials, Academic Achievement -- Heather Rachelle Dockins, Salutatorian, William Blount High School.

Senate Joint Resolution No. 555 -- Memorials, Academic Achievement -- Ashley Lorraine Kissick, Valedictorian, William Blount High School.

Senate Joint Resolution No. 556 -- Memorials, Academic Achievement -- Ashley Suzette Goins, Salutatorian, Heritage High School.

Senate Joint Resolution No. 557 -- Memorials, Academic Achievement -- Brent Baxley, Salutatorian, Seymour High School.

Senate Joint Resolution No. 558 -- Memorials, Academic Achievement -- Karie Thomas, Valedictorian, Seymour High School.

Senate Joint Resolution No. 559 -- Memorials, Sports -- Kendall Cavin, Class AA Miss Basketball.

Senate Joint Resolution No. 560 -- Memorials, Academic Achievement -- Rachel Reagan, Valedictorian, Dresden High School.

Senate Joint Resolution No. 561 -- Memorials, Academic Achievement -- Katie Atnip, Valedictorian, Greenfield High School.

Senate Joint Resolution No. 562 -- Memorials, Death -- Leon Tittle.

Senate Joint Resolution No. 563 -- Memorials, Academic Achievement -- Kate Leeann Moore, Salutatorian, Dresden High School.

Senate Joint Resolution No. 564 -- Memorials, Academic Achievement -- Joseph T. Muncey, Valedictorian, Calvary Christian School.

Senate Joint Resolution No. 565 -- Memorials, Academic Achievement -- Allison L. Schmidt, Valedictorian, Tullahoma High School.

Senate Joint Resolution No. 567 -- Memorials, Academic Achievement -- David Brandon McCall, Salutatorian, Greenfield High School.

Senate Joint Resolution No. 568 -- Memorials, Academic Achievement -- Chase Espy, Salutatorian, Obion High School.

Senate Joint Resolution No. 569 -- Memorials, Academic Achievement -- Matthew Craig Gordon, Valedictorian, Westview High School.

Senate Joint Resolution No. 570 -- Memorials, Academic Achievement -- Jill Konkol, Valedictorian, Obion County Central High School.

Senate Joint Resolution No. 571 -- Memorials, Academic Achievement -- Ronald Peckham, Salutatorian, Westview High School.

Senate Joint Resolution No. 572 -- Memorials, Academic Achievement -- Gregory Chase Richardson, Salutatorian, Perry County High School.

Senate Joint Resolution No. 573 -- Memorials, Academic Achievement -- Nicholas Ray Simmons, Valedictorian, Perry County High School.

Senate Joint Resolution No. 574 -- Memorials, Academic Achievement -- Anna Marie Smith, Salutatorian, Pigeon Forge High School.

Senate Joint Resolution No. 575 -- Memorials, Academic Achievement -- Kandyce Paquette, Valedictorian, Pigeon Forge High School.

Senate Joint Resolution No. 576 -- Memorials, Academic Achievement -- G. Jacob Sutherland, Valedictorian, Pigeon Forge High School.

Senate Joint Resolution No. 577 -- Memorials, Academic Achievement -- Michelle Martin, Valedictorian, Pigeon Forge High School.

Senate Joint Resolution No. 578 -- Memorials, Academic Achievement -- Rebekah Manis, Salutatorian, Pigeon Forge High School.

Senate Joint Resolution No. 580 -- Memorials, Congratulations -- Honors THDA for performance as Tennessee's lead housing agency.

Senate Joint Resolution No. 581 -- Memorials, Academic Achievement -- Amanda June Blakley, Valedictorian, Oneida High School.

Senate Joint Resolution No. 582 -- Memorials, Academic Achievement -- Adam Christopher Cross, Valedictorian, Oneida High School.

Senate Joint Resolution No. 583 -- Memorials, Academic Achievement -- Catherine Lay, Salutatorian, Oneida High School.

Senate Joint Resolution No. 584 -- Memorials, Academic Achievement -- Andrew Lowe, Valedictorian, Oneida High School.

Senate Joint Resolution No. 585 -- Memorials, Academic Achievement -- Audrey Calkins, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 586 -- Memorials, Academic Achievement -- Chasity Gibbs, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 587 -- Memorials, Academic Achievement -- Matthew Vodraska, Valedictorian, Sevier County High School.

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Senate Joint Resolution No. 588 -- Memorials, Academic Achievement -- Ellen Laura Ramsden, Salutatorian, Gatlinburg-Pittman High School.

Senate Joint Resolution No. 589 -- Memorials, Academic Achievement -- Laura Arnold, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 590 -- Memorials, Academic Achievement -- Margaret Jesse McElrath, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 591 -- Memorials, Academic Achievement -- Charles McKinley Caylor, Salutatorian, Sevier County High School.

Senate Joint Resolution No. 592 -- Memorials, Academic Achievement -- Stacey Tarver, Valedictorian, Gatlinburg-Pittman High School.

Senate Joint Resolution No. 593 -- Memorials, Academic Achievement -- Emily Shay Phillips, Valedictorian, Gatlinburg-Pittman High School.

Senate Joint Resolution No. 594 -- Memorials, Academic Achievement -- Devon Castillo, Salutatorian, Sevier County High School.

Senate Joint Resolution No. 595 -- Memorials, Academic Achievement -- Leslie Ray "Tater" Higdon, Salutatorian, Sequatchie County High School.

Senate Joint Resolution No. 596 -- Memorials, Academic Achievement -- Laura Elizabeth Aldrich, Valedictorian, Sequatchie County High School.

Senate Joint Resolution No. 597 -- Memorials, Professional Achievement -- Nossi College of Art, 30th anniversary.

Senate Joint Resolution No. 598 -- Memorials, Death -- Lawson "Wayne" White.

Senate Joint Resolution No. 599 -- Memorials, Public Service -- Nathan James.

Senate Joint Resolution No. 611 -- Memorials, Interns -- Adam Nahmias.

Senate Joint Resolution No. 612 -- Memorials, Interns -- Courtney McEwen.

Senate Resolution No. 98 -- Memorials, Retirement -- Reverend A. G. Jones.

Senate Resolution No. 100 -- Memorials, Interns -- Joanna Koplan.

Senate Resolution No. 101 -- Memorials, Public Service -- Graham and Gigi Shafer.

Senate Resolution No. 102 -- Memorials, Interns -- Daniel W. Everson.

Senator Crowe moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 1270 -- Education, Higher -- Requires that expenditures of higher education foundation benefiting state institution of higher education comply with applicable laws, policies and procedures for expenditures by beneficiary state institution. Amends TCA Title 49.

On motion, Senate Bill No. 1270 was made to conform with **House Bill No. 1411**.

On motion, House Bill No. 1411, on same subject, was substituted for Senate Bill No. 1270.

Senator McNally moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1411** passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

MOTION

Senator McNally moved that Rule 83 be suspended for the purpose of allowing the Committee on Education to meet today to consider **House Joint Resolution No. 75** and **Senate Resolution No. 107**, which motion prevailed.

CALENDAR

Senator Clabough moved that **Senate Bill No. 287** be placed at the heel of the calendar for today, which motion prevailed.

Senator Kyle moved that **Senate Bill No. 328** be placed behind **Senate Bill No. 248**, which motion prevailed.

Senate Bill No. 397 -- Bail, Bail Bonds -- Revises various provisions concerning forfeiture, reduction or refund of premium of bail, duration of bond and bondsman's capacity. Amends TCA Title 40, Chapter 11.

Senator Person moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 and Section 5 of the printed bill in their entirety and by renumbering the remaining sections accordingly.

AND FURTHER AMEND by deleting from subsections (e)(1) and (e)(2) of Section 7 of the printed bill the language "ten (10) times" and by substituting instead the language "not less than ten (10) times".

On motion, the amendment was adopted.

Senator Person moved that Amendment No. 2 be placed behind Amendment No. 3, which motion prevailed.

Senator Henry moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting Section 4 of the printed bill in its entirety.

On motion, the amendment was adopted.

Senator Person moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, **Senate Bill No. 397**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

Senate Bill No. 440 -- Transportation, Dept. of -- Requires department to develop guidelines for municipal tourism/wayfinding informational signage programs; requires commissioner to report progress to transportation committees in January 2004. Amends TCA Title 4, Chapter 3, Part 23 and Title 54.

On motion, Senate Bill No. 440 was made to conform with **House Bill No. 896**.

On motion, House Bill No. 896, on same subject, was substituted for Senate Bill No. 440.

Thereupon, **House Bill No. 896** passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

Senate Bill No. 518 -- Child Custody and Support -- Limits retroactive orders for child support in paternity actions to two years preceding commencement of paternity action unless order of support previously entered. Amends TCA Title 36, Chapter 2, Part 3 and Title 36, Chapter 5.

Senator Person moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 2, Part 3, is amended by adding the following as a new, appropriately designated section:

36-2-3___. (a) Notwithstanding any provision of law or rule to the contrary, a father, as defined by this chapter, shall not be liable for child support until such time as he:

(1) Knew or should have known that he is the father of such child; or

(2) Has received actual notice that he is the putative father by service of legal process.

(b) As used in subsection (a), "actual notice" means service of notice or legal process that the mother or guardian of the child or the state has filed a petition for paternity and that he has been named as the father.

(c) If the mother of a child is not entitled to child support pursuant to subsection (a) because of a delay in the filing of an action for paternity, the court shall be permitted to order retroactive support in such case upon the mother's proof, by clear and convincing evidence, that the delay in filing the paternity action was the result of her being raped, physically intimidated, or emotionally intimidated.

(d) The provisions of this section shall not apply to Title IV-D support cases.

SECTION 2. This act shall take effect upon becoming a law, and shall apply to all cases pending on or arising after the effective date of this act, the public welfare requiring it.

On motion, the amendment was adopted.

Senator Henry moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following new section, to be appropriately designated:

SECTION ____ Tennessee Code Annotated, Section 36-5-101(e), is amended by adding the following as a new subdivision:

(4) In addition to any other subtractions, calculations of net income under the guidelines shall take into consideration support of any other children of the obligor. Children of the obligor who are not included in a decree of child support shall be considered for the purposes of reducing the obligor's net income or in calculating the guideline amount and such children may be considered by the court as a reason for deviation from the guidelines.

On motion, the amendment was adopted.

Senator Herron moved that Amendment No. 3 be withdrawn, which motion prevailed.

Senator Ford moved that Amendment No. 4 be withdrawn, which motion prevailed.

Senator Henry moved to amend as follows:

AMENDMENT NO. 5

AMEND by deleting from the amendatory language of Section 1 the language:

(c) If the mother of a child is not entitled to child support pursuant to subsection (a) because of a delay in the filing of an action for paternity, the court shall be permitted to order retroactive support in such case upon the mother's proof, by clear and convincing evidence, that the delay in filing the paternity action was the result of her being raped, physically intimidated, or emotionally intimidated.

and by substituting instead the language:

(c) If the mother of a child is not entitled to child support pursuant to subsection (a) because of a delay in the filing of an action for paternity, the court shall order, in accordance with existing law, retroactive support in such case upon the mother's proof, by clear and convincing evidence, that the delay in filing the paternity action was the result of her being raped, physically or emotionally intimidated, or she was unable to determine the identity or location of the father after making reasonable efforts to do so. For the purposes of this act, "reasonable effort" shall include seeking assistance from the office of the district attorney general.

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 518**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 1

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

Senator voting no was: Herron--1.

A motion to reconsider was tabled.

Senate Bill No. 634 -- Campaigns and Campaign Finance -- Requires registry of election finance to create electronic filing system; requires registry to provide public access to list of campaign contributions made to candidates through Internet. Amends TCA Title 2, Chapter 10.

On motion, Senate Bill No. 634 was made to conform with **House Bill No. 1257**.

On motion, House Bill No. 1257, on same subject, was substituted for Senate Bill No. 634.

Senator Kurita moved that **House Bill No. 1257** be moved two places down on the calendar, which motion prevailed.

Senator McNally moved that **Senate Bill No. 675** be moved three places down on the calendar, which motion prevailed.

Senate Bill No. 690 -- County Government -- Authorizes local government, by vote of its legislative body, to establish tuition assistance programs for its officials, employees or their families enrolled in educational institutions located in Tennessee. Amends TCA Title 7, Chapter 51 and Title 8.

Senator Cohen moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Henry moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-33-109, is amended by adding the following language at the end of the section:

After the fifteen (15) working days of full compensation, any public employer may provide partial compensation to its employees while under competent orders.

SECTION 2 This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 690**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

FURTHER ACTION ON HOUSE BILL NO. 1257

Senator Cohen moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Title 2, Chapter 10, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 2-10-1____. No later than sixty (60) days after the effective date of this act, each multicandidate political campaign committee registered with the registry of election finance shall pay a registration fee of one hundred fifty dollars (\$150). For any multicandidate political campaign committee registering a new committee during the year 2003 after the effective date of this act, the committee shall pay the registration fee at the time that it certifies its political treasurer. No later than January 31, 2004, each multicandidate political campaign committee registered with the registry of election finance shall pay a registration fee of one hundred fifty dollars (\$150). No later than January 31 for each year thereafter, each multicandidate political campaign committee registered with the registry of election finance shall pay a registration fee of seventy-five dollars (\$75.00). For any multicandidate political campaign committee registering a new committee during any year, the committee shall pay the appropriate registration fee as designated above at the time that it certifies its political treasurer. All fees collected by the registry of election finance under the provisions of this section shall be retained by the registry and used for expenses related to maintaining an electronic filing system. This section shall not apply to any statewide political party as defined in § 2-1-104(29) or subsidiaries thereof.

AND FURTHER AMEND by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Notwithstanding any other provision of law to the contrary, any individual who registers as a lobbyist shall pay an annual filing fee of one hundred dollars (\$100).

SECTION _____. From funds available to the registry of election finance pursuant to carryforwards from fiscal years 2000-2001 and 2001-2002, there shall be earmarked a sum sufficient to fund this act. It is the legislative intent that such funds shall be carried forward into fiscal year 2003-2004 for the purpose of funding this act.

On motion, the amendment was adopted.

Senator Cohen moved that Amendment No. 2 be withdrawn, which motion prevailed.

Senator Ramsey moved that Amendment No. 3 be withdrawn, which motion prevailed.

Senator Kurita moved to amend as follows:

AMENDMENT NO. 4

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Notwithstanding any other provision of law to the contrary, the registry of election finance shall create a form for persons to register as volunteer lobbyists and shall maintain a volunteer lobbyist list that shall be posted on their Web site. A person shall not be required to pay a fee for registering as a volunteer lobbyist. As used in this section, a "volunteer lobbyist" is anyone who engages in lobbying without pay or consideration and who is not required to register as a lobbyist under § 3-6-104.

On motion, the amendment was adopted.

Senator Cohen moved that Amendment No. 5 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1257**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

Senate Bill No. 887 -- Fire Prevention and Investigation -- Enacts "Fire Department Recognition Act". Amends TCA Title 68, Chapter 102.

Senator Clabough moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 102, is amended by adding Sections 2 through 7 of this act as a new Part 3.

SECTION 2. This part shall be known and may be cited as the "Fire Department Recognition Act".

SECTION 3. As used in this part, unless the context otherwise requires, the term "fire department" means a department of a municipality, county, or political subdivision, or an organization, agency, or entity which offers its services, for or without pay, for the purpose of suppressing fires, performing rescue services, or for other emergency response purposes. Excluded from this definition are law enforcement agencies, emergency medical agencies licensed by the Tennessee emergency medical services board, and rescue squads that do not provide fire protection.

SECTION 4. To obtain recognition from the Department of Commerce and Insurance, state fire marshal's office, a municipality, county, or political subdivision desiring to operate a fire department, or an organization, agency, or entity desiring to operate as a fire department shall file an application with the Department of Commerce and Insurance, state fire marshal's office, and file a renewal application to continue so operating in accordance with the following:

(1) The application shall be made on a form prescribed by the state fire marshal and shall be accompanied by a processing fee not to exceed fifty dollars (\$50.00). The state fire marshal may require that the form be signed and notarized by the highest ranking official of the fire department.

(2) Once recognized, each fire department shall be classified as career, volunteer, or combination as determined by the Tennessee Fire Incident Reporting System (TFIRS).

(3) Upon being granted recognized status as a fire department, the state fire marshal shall issue a certificate of recognition to the fire department; such certificate shall be valid for a period of three (3) years from its date of issuance.

(4) Approximately six (6) months prior to the expiration of the three-year recognition period, the state fire marshal's office shall notify each fire department by certified mail of the expiration of its certificate of recognition. The fire department whose certificate is expiring shall be required to complete a recognition renewal form prescribed by the state fire marshal and submit a renewal fee not to exceed fifty dollars (\$50.00).

SECTION 5. (a) The applicant must agree to participate in the Tennessee Fire Incident Reporting System (TFIRS) by completing and submitting fire incident reports to the state fire marshal's office on a quarterly basis. Full participation in TFIRS must begin within three (3) years of obtaining recognition as a fire department from the Department of Commerce and Insurance, state fire marshal's office.

(b) The municipality, county, political subdivision, organization, agency, or entity filing the application must be in compliance with § 68-102-108 by properly requesting designation as an assistant to the Commissioner of Commerce and Insurance.

SECTION 6. Any person violating the provisions of this part shall be guilty of a Class C misdemeanor punishable by fine only.

SECTION 7. Tennessee Code Annotated, Section 68-102-108, is amended by deleting subsection (d) in its entirety.

SECTION 8. This act shall take effect July 1, 2003, the public welfare requiring it.

On motion, the amendment was adopted.

Senator Clabough moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 102, is amended by adding Sections 2 through 9 of this act as a new Part 3.

SECTION 2. This part shall be known and may be cited as the "Fire Department Recognition Act".

SECTION 3. As used in this part, unless the context otherwise requires, the term "fire department" means a department of a municipality, county, or political subdivision, or an organization, agency, or entity which offers its services, for or without pay, for the purpose of suppressing fires, performing rescue services, or for other emergency response purposes. Excluded from this definition are law enforcement agencies, emergency medical agencies licensed by the Tennessee emergency medical services board, and rescue squads that do not provide fire protection.

SECTION 4. After the effective date of this act, no municipality, county, or political subdivision shall operate a fire department, and no organization, agency, or entity shall operate as a fire department within the state of Tennessee unless it has been duly recognized to do so pursuant to the provisions of this part by the Department of Commerce and Insurance, state fire marshal's office. The state fire marshal, in consultation with the Tennessee Fire Chiefs Association (TFCA), shall promulgate rules and regulations pursuant to the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, relative to the standards and qualifications for becoming and remaining a fire department.

SECTION 5. To obtain recognition from the Department of Commerce and Insurance, state fire marshal's office, a municipality, county, or political subdivision desiring to operate a fire department, or an organization, agency, or entity desiring to operate as a fire department shall file an application with the Department of Commerce and Insurance, state fire marshal's office, and file a renewal application to continue so operating in accordance with the following:

- (1) The application shall be made on a form prescribed by the state fire marshal and shall be accompanied by a processing fee not to exceed fifty dollars (\$50.00). The state fire marshal may require that the form be signed and notarized by the highest ranking official of the fire department.

(2) Once recognized, each fire department shall be classified as career, volunteer, or combination as determined by the Tennessee Fire Incident Reporting System (TFIRS).

(3) Upon being granted recognized status as a fire department, the state fire marshal shall issue a certificate of recognition to the fire department; such certificate shall be valid for a period of three (3) years from its date of issuance.

(4) Approximately six (6) months prior to the expiration of the three-year recognition period, the state fire marshal's office shall notify each fire department by certified mail of the expiration of its certificate of recognition. The fire department whose certificate is expiring shall be required to complete a recognition renewal form prescribed by the state fire marshal and submit a renewal fee not to exceed fifty dollars (\$50.00).

SECTION 6. The municipality, county, political subdivision, organization, agency, or entity filing the application must be in compliance with § 68-102-108 by properly requesting designation as an assistant to the commissioner of commerce and insurance.

SECTION 7. After the effective date of this act:

(1) No new fire department may be established or recognized within Tennessee without the approval of the local elected governing body. This approval shall include the geographical territory to be covered by such new fire department.

(2) No governmental unit, person, organization, agency, or entity shall represent themselves to be or have a fire department as defined in this part without first obtaining a certificate of recognition from the state fire marshal's office in accordance with the provisions of Section 5.

(3) No governmental unit, person, organization, agency, or entity shall receive or solicit money from any source, including local, state, or federal government, for the purpose of operating a fire department as defined in this part, unless such governmental unit, person, organization, agency, or entity maintains a valid certificate of recognition from the state fire marshal's office.

SECTION 8. Any person violating the provisions of this part shall be guilty of a Class C misdemeanor punishable by fine only.

SECTION 9. Tennessee Code Annotated, Section 68-102-108, is amended by deleting subsection (d) in its entirety.

SECTION 10. This act shall take effect July 1, 2003, the public welfare requiring it.

On motion, the amendment was adopted.

Senator Ketron declared Rule 13 on **Senate Bill No. 887**.

Thereupon, **Senate Bill No. 887**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Clabough, Cohen, Cooper, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senate Bill No. 698 -- Real Property -- Requires purchaser of real property to obtain wood destroying infestation report before purchasing property; such report shall be warranted for 90 days. Amends TCA Title 62, Chapter 21, Part 2.

On motion, Senate Bill No. 698 was made to conform with **House Bill No. 1283**.

On motion, House Bill No. 1283, on same subject, was substituted for Senate Bill No. 698.

Senator Cooper moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Cooper moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all of the language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 21, Part 2, is amended by adding the following language as a new section thereto:

Section 62-21-207. (a) If financing is sought by the purchaser of real property and the lender so requires or if otherwise required by contract, the chartered pest control operator shall mail, postage prepaid, a copy of the wood destroying insect infestation report to the purchaser of the real property at least five (5) working days before the actual purchase of such property. The seller of the property shall provide to the chartered pest control operator an address to which the purchaser's copy of the wood destroying insect infestation report shall be mailed.

(b) Notwithstanding any provision of law to the contrary, nothing in this part shall be construed to determine:

(1) Liability for the condition of the property; or

(2) The person or entity responsible for the cost of a wood destroying insect infestation report.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

Senator Henry moved that **House Bill No. 1283** be placed on the calendar for Thursday, May 29, 2003, which motion prevailed.

Senator McNally moved that **Senate Bill No. 675** be placed at the heel of the calendar for today, which motion prevailed.

Senate Bill No. 896 -- TennCare -- Requires comptroller's annual actuarial study to include certain analysis and calculations. Amends TCA Title 71, Chapter 5.

On motion, Senate Bill No. 896 was made to conform with **House Bill No. 1343**.

On motion, House Bill No. 1343, on same subject, was substituted for Senate Bill No. 896.

Senator Clabough moved that **House Bill No. 1343** be placed two places down on the calendar for today, which motion prevailed.

Senate Bill No. 328 -- Election Laws -- Requires election commissions to verify that documents are properly filed at time of filing; establishes conclusive presumption that requirements met and document timely filed. Amends TCA Title 2.

On motion, Senate Bill No. 328 was made to conform with **House Bill No. 432**.

On motion, House Bill No. 432, on same subject, was substituted for Senate Bill No. 328.

Senator Kyle moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-4-103(a), is amended by adding the following language after the last sentence:

Any person so appointed to a polling place that serves multiple state house legislative districts may perform such person's duties to each voter present in that polling place and eligible to vote in that polling place.

SECTION 2. Tennessee Code Annotated, Section 2-13-205, is amended by deleting the language "second Tuesday in March" and by substituting instead the language "second Tuesday in February".

SECTION 3. Tennessee Code Annotated, Section 2-13-302, is amended by deleting the language "On the second Tuesday in March 1988, and every four (4) years thereafter" and by substituting instead the language "On the date established in § 2-13-205 in 2004, and every four (4) years thereafter".

SECTION 4. Tennessee Code Annotated, Section 2-13-203(d), is amended by deleting the language "third Thursday in January" and by substituting instead the language "on the date established in § 2-5-101(a)(2)".

SECTION 5. Tennessee Code Annotated, Section 2-13-303(a) and (f), are amended by deleting the language "second Thursday in January" and by substituting instead the language "on the date established in § 2-5-205(c)".

SECTION 6. Tennessee Code Annotated, Section 2-13-303(c)(2), is amended by deleting the language "second Tuesday in March and before the first Tuesday in April" and by substituting instead the language "second Tuesday in February and before the first Tuesday in March".

SECTION 7. Tennessee Code Annotated, Section 2-13-304(a), is amended by deleting the language "first Tuesday in January" and by substituting instead the language "date established in § 2-5-205(a)(2)".

SECTION 8. Tennessee Code Annotated, Section 2-13-304(b), is amended by deleting the language "second Tuesday in January" and by substituting instead the language "as established in § 2-5-205(b)".

SECTION 9. Tennessee Code Annotated, Section 2-13-304(c), is amended by deleting the language "second Thursday in January" and by substituting instead the language "on the date established in § 2-5-205(c)".

SECTION 10. Tennessee Code Annotated, Section 2-13-305(a) and (d), are amended by deleting the language "third Thursday in January" and by substituting instead the language "on the date established in § 2-5-101(a)(2)".

SECTION 11. Tennessee Code Annotated, Section 2-13-306, is amended by deleting the word "March" and by substituting instead the word "February".

SECTION 12. Tennessee Code Annotated, Section 2-13-310(b), is amended by deleting the language "third Thursday in January" and by substituting instead the language "on the date established in § 2-5-101(a)(2)".

SECTION 13. Tennessee Code Annotated, Section 2-5-101(a)(2), is amended by deleting the word "March" and by substituting instead the word "February" and by deleting the language "third Thursday in January" and by substituting instead the language "second Thursday in December".

SECTION 14. Tennessee Code Annotated, Section 2-5-205(a)(1) and (2), are amended by deleting the language "first Tuesday in January" wherever it appears and by substituting instead the language "first Tuesday in December".

SECTION 15. Tennessee Code Annotated, Section 2-5-205(a)(1), is amended by deleting the language "second Tuesday in January" and by substituting instead the language "on the date established in § 2-5-205(b)".

SECTION 16. Tennessee Code Annotated, Section 2-5-205(b), is amended by deleting the language "second Tuesday in January" and by substituting instead the language "second Tuesday in December".

SECTION 17. Tennessee Code Annotated, Section 2-5-205(c), is amended by deleting the language "second Thursday in January" and by substituting instead the language "third Thursday in December".

SECTION 18. Tennessee Code Annotated, Section 2-12-109(d), is amended by deleting the word "March" and by substituting instead the language "February".

SECTION 19. Tennessee Code Annotated, Section 2-12-102, is amended by adding the following as new, appropriately designated subsections:

(c) A person employed as an assistant public defender or an assistant district attorney may serve as a county election commissioner if such assistant public defender or assistant district attorney does not work in the district in which such assistant public defender or assistant district attorney lives.

(d) The provisions of subsection (c) shall not apply in any county having a population of not less than eight hundred ninety-seven thousand four hundred (897,400) nor more than eight hundred ninety-seven thousand five hundred (897,500) according to the 2000 federal census or any subsequent federal census.

SECTION 20. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

SECTION 21. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Senator McNally moved that Amendment No. 2 be withdrawn, which motion prevailed.

Senator Kyle moved that **House Bill No. 432**, as amended, be considered first after the Senate returns from recess, which motion prevailed.

RECESS

Senator Crutchfield moved the Senate stand in recess, which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker Wilder.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

STANDING COMMITTEE REPORTS

ENVIRONMENT, CONSERVATION AND TOURISM

MR. SPEAKER: Your Committee on Environment, Conservation and Tourism begs leave to report that we have carefully considered and recommend that House Joint Resolution No. 454 be referred to the Committee on Finance, Ways and Means.

MILLER, Chairperson
May 28, 2003

WEDNESDAY, MAY 28, 2003 -- 46TH LEGISLATIVE DAY

The Speaker announced that he had referred House Joint Resolution No. 454 to Committee on Finance, Ways and Means.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Resolution No. 107; and House Joint Resolution No. 75.

McNALLY, Chairperson
May 28, 2003

The Speaker announced that he had referred Senate Resolution No. 107; and House Joint Resolution No. 75 to Committee on Calendar.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 899 with amendments, 1874 with amendment and 1899; Senate Resolution No. 97; Senate Joint Resolution No. 579; and House Joint Resolutions Nos. 454 and 530.

HENRY, Chairperson
May 28, 2003

The Speaker announced that he had referred Senate Bills Nos. 899 with amendments, 1874 with amendment and 1899; Senate Resolution No. 97; Senate Joint Resolution No. 579; and House Joint Resolutions Nos. 454 and 530 to Committee on Calendar.

FURTHER ACTION ON HOUSE BILL NO. 432, AS AMENDED

Senator Kyle moved that the Senate reconsider its action in adopting Amendment No. 1 to **House Bill No. 432**, which motion prevailed.

Senator Kyle moved that Amendment No. 1 to **House Bill No. 432** be withdrawn, which motion prevailed.

Senator Kyle moved that **House Bill No. 432** be moved two places down on the calendar for today, which motion prevailed.

Senator Kyle moved that **Senate Bill No. 920** be moved five places down on the calendar for today, which motion prevailed.

Senate Bill No. 998 -- TennCare -- Adds intent of general assembly to stabilize TennCare health care provider network and to assure providers are paid timely to ensure providers remain viable; requires comptroller to report on adequacy of provider networks by January 1, 2004. Amends TCA Title 3; Title 33; Title 36; Title 47; Title 56; Title 68 and Title 71.

On motion, Senate Bill No. 998 was made to conform with **House Bill No. 1386**.

On motion, House Bill No. 1386, on same subject, was substituted for Senate Bill No. 998.

Senator Norris moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Cooper moved that Amendment No. 2 be withdrawn, which motion prevailed.

Senator Cooper moved that Amendment No. 3 be withdrawn, which motion prevailed.

Senator Cooper moved that Amendment No. 4 be withdrawn, which motion prevailed.

Senator Norris moved that Amendment No. 5 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1386** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senator Kyle moved that **House Bill No. 432** be moved two places down on the calendar for today, which motion prevailed.

MR. SPEAKER WILDER RELINQUISHES CHAIR

Mr. Speaker Wilder relinquished the Chair to Senator Haynes as Speaker pro tempore.

FURTHER ACTION ON HOUSE BILL NO. 1343

Senator Crowe moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Henry moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1343** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senate Bill No. 1559 -- Criminal Procedure -- Grants automatic restoration of citizenship rights to inmates convicted of infamous crimes on or after July 1, 2003, who have completed at least

one year of any period of probation, been paroled, or completed sentence. Amends TCA Title 40, Chapter 29, Part 1.

Senator Person moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-29-105, is amended by deleting subsection (c) in its entirety and substituting instead the following:

(c) The following procedure shall apply to a person rendered infamous by virtue of being convicted of a felony on or after July 1, 1996:

(1) Except as provided in item (c)(2)(C), a person rendered infamous or whose rights of citizenship have been deprived by the judgment of a state or federal court may seek restoration of full rights of citizenship by petitioning the circuit court of the county where the petitioner resides or where the conviction for the infamous crime occurred.

(2)(A) A person receiving a pardon that restores full rights of citizenship may petition for restoration immediately upon receiving the pardon. However, the court shall not have the authority or jurisdiction to alter, delete or render void special conditions pertaining to the right of suffrage that may be contained in such pardon.

(B) A person convicted of an infamous crime may petition for restoration upon the expiration of the maximum sentence imposed by the court for the infamous crime or the person's final release from parole, probation, pre-trial or judicial diversion or community correction supervision.

(C) Notwithstanding item (A) or (B), a person convicted of first or second degree murder, aggravated rape, rape, rape of a child, treason or voter fraud shall never be eligible to register and vote in this state.

(3)(A) By August 1, 2003, the administrative office of the court shall design, prepare and distribute to each circuit court clerk a form for petitioning for the restoration of citizenship rights. Such form shall be simple and designed in such a manner that a person petitioning for restoration is able to complete it properly without the necessity of an attorney. The petition form shall state that the petitioner desires restoration of his or her full citizenship rights, shall set forth the basis for the petitioner's eligibility for restoration and shall require only such other information as the administrative office of the courts deems pertinent and is readily obtainable by the petitioner. Each circuit court clerk shall maintain a supply of these restoration petition forms in the clerk's office.

(B) The petition for restoration shall be accompanied by a copy of the petitioner's pardon, final release from diversion, probation, community correction supervision, parole, letter of sentence expiration or such other document as makes the petitioner eligible for restoration of citizenship rights. The petition shall also be accompanied by sufficient proof that the petitioner has paid in full all court costs, fines and restitution assessed against the petitioner for the offense resulting in the judgment of infamy and any other court costs, fines and restitution owed by the petitioner as the result of pleading guilty to or being found guilty of any other offense.

(C) Upon the filing of the petition, the court shall notify the coordinator of elections in an attempt to determine if the petitioner's citizenship rights have previously been restored pursuant to this section. If the coordinator of elections indicates from the coordinator's records that such relief has previously been granted, the court shall dismiss the petition. If the petitioner has not previously been granted relief under this section, upon the filing of the petition, a court date shall be set at least thirty (30) but not more than ninety (90) days from the date of the filing.

(D) There is a presumption that a petition filed pursuant to this subsection shall be granted and that the full citizenship rights of the petitioner shall be restored. This presumption may only be overcome upon proof by a preponderance of the evidence that either the petitioner is not eligible for restoration, has not paid in full all court costs, fines and restitution owed by the petitioner or there is otherwise good cause to deny the petition.

(4)(A) Upon a petition being filed pursuant to this subsection, the circuit court clerk shall provide notice to the district attorney general in whose county the petitioner resides and the district attorney general of the county in which the conviction occurred. These officials shall have until the court date set forth in the notice to object to the restoration of the petitioner's citizenship rights either in person or in writing.

(B) If the petitioner was rendered infamous or deprived of citizenship rights by judgment of a federal court, then the circuit court clerk shall provide a copy of the notice of the petition to the United States attorney and the district attorney general in whose district the petitioner is currently residing. Each such official shall have the same right to object to the petition as is provided in item (c)(4)(A).

(5) If the district attorney general or United States attorney fails to object by the court date set in the notice, then the judge may either grant the petition and enter an order restoring the petitioner's full citizenship rights or the judge may require the petitioner to appear before the judge. Any appearance before the judge may, in the discretion of the judge, be conducted in chambers or in open court. At the conclusion of such appearance, the judge may grant the petition and enter an order restoring the petitioner's full citizenship rights, require the petitioner to submit additional information or

deny the petition. If the judge grants the petition and enters an order restoring the petitioner's full citizenship rights, then the judge shall send or cause to be sent a copy of the order to the state coordinator of elections.

(6) If the district attorney general or United States attorney objects by the date set in the notice, then a hearing shall be conducted on such date. At the hearing, the district attorney general or United States attorney may appear or submit objections in writing and the petitioner shall appear. At the conclusion of the hearing, the judge shall either grant the petition and enter an order restoring the petitioner's full citizenship rights or deny the petition. If the judge grants the petition and enters an order restoring the petitioner's full citizenship rights, then the judge shall send or cause to be sent a copy of the order to the state coordinator of elections.

(7) Notwithstanding any provision of subdivision (5) or (6) to the contrary, the judge shall not grant a petition for the restoration of the petitioner's citizenship rights unless the judge is satisfied that the petitioner has paid in full all court costs, fines and restitution assessed against the petitioner for the offense resulting in the judgment of infamy and any other court costs, fines and restitution owed by the petitioner as the result of pleading guilty to or being found guilty of any other offense.

(8) If the judge grants a petition pursuant to subdivision (5) or (6), then the order restoring the petitioner's full citizenship rights shall, unless prohibited by federal law, be construed to include all rights to which the petitioner was entitled prior to the conviction for an infamous crime.

(9) All costs for a proceeding under this subsection to restore a person's citizenship rights shall be paid by the petitioner unless the court specifically orders otherwise.

(10) Any person whose citizenship rights have been restored by order of the court pursuant to this subsection shall submit a certified copy of such order to the administrator of elections of the county in which such person is eligible to vote. The administrator of elections shall verify with the coordinator of elections that such an order was issued and, upon receiving such verification, shall issue the person a voter registration card entitling the person to vote.

(11) A person whose citizenship rights have been lost as the result of being convicted of an infamous crime may only have such rights restored pursuant to this section one time. If, after a person's rights are restored pursuant to this section, such person is again convicted of a felony and a judgment of infamy is entered against such person, then the person is forever barred from the relief granted by this section and any additional petition filed pursuant to this section shall be summarily dismissed as provided in item (3)(C).

SECTION 2. For purposes of the administrative office of the courts preparing and distributing the petition for restoration form, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall take effect on August 1, 2003.

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 1559**, as amended, passed its third and final consideration by the following vote:

Ayes	18
Noes	11

Senators voting aye were: Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Kurita, Kyle, McLeary, Trail and Mr. Speaker Wilder--18.

Senators voting no were: Atchley, Beavers, Bryson, Burchett, Burks, Ketron, Kilby, McNally, Miller, Ramsey and Williams--11.

A motion to reconsider was tabled.

FURTHER ACTION ON HOUSE BILL NO. 432

Thereupon, **House Bill No. 432** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senator Herron moved that **Senate Bill No. 1570** be moved three places down on the calendar for today, which motion prevailed.

Senate Bill No. 920 -- Correctional Programs -- Authorizes TRICOR to develop policy for sale of products to state, city and county employees; requires TRICOR to designate 2 percent of such sales to inmate educational programs. Amends TCA Section 41-22-116.

On motion, Senate Bill No. 920 was made to conform with **House Bill No. 812**.

On motion, House Bill No. 812, on same subject, was substituted for Senate Bill No. 920.

Senator Cohen moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Henry moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the additional sentence at the end of the amendatory language of Section 1, as amended:

Policies developed by the TRICOR board shall take into account possible competition with retail merchants and the impact on state and local sales tax collections.

On motion, the amendment was adopted.

Thereupon, **House Bill No. 812**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senate Bill No. 1834 -- Planning, Public -- Authorizes non-metropolitan municipality to increase board of zoning appeals from three or five members to three, five, seven or nine members. Amends TCA Title 7 and Title 13.

On motion, Senate Bill No. 1834 was made to conform with **House Bill No. 1793**.

On motion, House Bill No. 1793, on same subject, was substituted for Senate Bill No. 1834.

Senator Cohen moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Cohen moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following new section immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

On motion, the amendment was adopted.

Thereupon, **House Bill No. 1793**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

House Bill No. 843 -- Local Government, General -- Changes publication of proposed county annual operating budget following presentation to governing body from one day to five days, if publication is in daily newspaper, or to next edition for which notices are accepted, if publication is in newspaper published less frequently than daily. Amends TCA Section 5-8-507, as amended.

Thereupon, **House Bill No. 843**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

Senator Herron moved that **Senate Bill No. 1570** be moved three places down on the calendar for today, which motion prevailed.

Senator Haynes moved that **House Bill No. 1803** be placed on the calendar for Thursday, May 29, 2003, which motion prevailed.

Senator Cooper moved that **House Bill No. 1986** be placed on the calendar for Thursday, May 29, 2003, which motion prevailed.

Senate Bill No. 1480 -- Sunset Laws -- Judicial council, June 30, 2009. Amends TCA Title 4, Chapter 29 and Title 16, Chapter 21.

On motion, Senate Bill No. 1480 was made to conform with **House Bill No. 1520**.

On motion, House Bill No. 1520, on same subject, was substituted for Senate Bill No. 1480.

Senator Harper moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Harper moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1520** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

Senate Bill No. 1570 -- Health Care -- Changes, eliminates or expands certain categories of fees payable by service provider licensees to state health care planning and advisory board. Amends TCA Title 68, Chapter 11, Part 16.

On motion, Senate Bill No. 1570 was made to conform with **House Bill No. 1424**.

On motion, House Bill No. 1424, on same subject, was substituted for Senate Bill No. 1570.

Thereupon, **House Bill No. 1424** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

Senate Bill No. 2030 -- Loudon County -- Subject to local approval, creates Family Court. Amends Chapter 57 of the Private Acts of 1959.

On motion, Senate Bill No. 2030 was made to conform with **House Bill No. 2113**.

On motion, House Bill No. 2113, on same subject, was substituted for Senate Bill No. 2030.

Senator McNally moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator McNally moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the first sentence of Section 2 and substituting instead the following:

The Judge for the Family Court of Loudon County, Tennessee, shall be required to possess all the qualifications and shall be paid the same compensation as prescribed by law for general sessions judges, but in no event shall such Family Court Judge receive less than the compensation paid to the general sessions judge of Loudon County, and shall take the same oath prescribed for such judges.

AND FURTHER AMEND by deleting from the second sentence of Section 3 the language "over all civil and criminal jurisdiction" and substituting instead the language "over all civil matters".

On motion, the amendment was adopted.

Thereupon, **House Bill No. 2113**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senator Burks moved that **Senate Joint Resolution No. 566** be placed on the calendar for Thursday, May 29, 2003, which motion prevailed.

NOTICE

Pursuant to Rule 44, notice was given that the following bills were returned from the House of Representatives amended. Under the rule, the bills lie over.

MESSAGE FROM THE HOUSE

May 27, 2003

MR. SPEAKER: I am directed to return Senate Bill No. 1067. The House lifted from the table the motion to reconsider its action on Senate Bill No. 1067. The House moved to reconsider Senate Bill No. 1067; reconsidered Amendment No. 1; withdrew Amendment No. 1; and repassed Senate Bill No. 1067 on third and final consideration.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 38, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1665, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1648, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1344, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1499. The House nonconcurred in Senate Amendment No. 1.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1664, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MOTION

On motion of Senator Crutchfield, his name was added as sponsor of **House Joint Resolution No. 661**.

On motion of Senator Graves, her name was added as sponsor of **House Joint Resolutions Nos. 543, 628 and 644**.

On motion of Senator McLeary, his name was added as sponsor of **House Joint Resolutions Nos. 648, 649 and 650**.

On motion of Senator Cohen, his name was added as sponsor of **House Joint Resolution No. 661**.

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolution No. 543**.

On motion of Senator Herron, his name was added as sponsor of **House Joint Resolutions Nos. 658 and 661; Senate Bill No. 61; and Senate Joint Resolution No. 580.**

On motion of Senator Henry, his name was added as sponsor of **Senate Joint Resolution No. 580.**

On motion, all Senators' names were added as sponsors of **Senate Resolution No. 103.**

On motion of Senator Dixon, his name was added as sponsor of **House Joint Resolutions Nos. 643 and 646; and Senate Joint Resolution No. 580.**

On motion, all Senators' names were added as sponsors of **Senate Joint Resolution No. 610.**

On motion of Senator Clabough, his name was added as sponsor of **House Joint Resolutions Nos. 647, 652, 653, 654, 655 and 656.**

On motion of Senator Crowe, his name was added as sponsor of **House Joint Resolutions Nos. 631, 632, 633, 634 and 635.**

On motion of Senators Miller, Person and Cohen, their names were added as sponsors of **Senate Bill No. 518.**

On motion of Senator Fowler, his name was added as sponsor of **House Joint Resolution No. 445; and Senate Bills Nos. 518, 634, 690 and 998.**

On motion of Senators Norris, Cooper and McNally, their names were added as sponsors of **Senate Bill No. 896.**

On motion of Senator Miller, his name was added as sponsor of **House Joint Resolution No. 668.**

On motion, all Senators' names were added as sponsors of **Senate Joint Resolution No. 566.**

ENGROSSED BILLS

May 28, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bill No. 397, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 28, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bill No. 518, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 28, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 608, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 28, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 610, 611 and 612; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 28, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bill No. 690, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 28, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bill No. 887, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 28, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bill No. 1559, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 28, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598 and 599; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 397 and 818, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 690, 1812 and 1981; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 887, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 683 and 1728, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1024 and 1115, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1995, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 441 and 1520, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 886 and 974, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 961, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1424, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2122, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2126, 2127 and 2128; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 539, 540, 541, 542, 543, 544 and 545; concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 19, 59, 175, 274, 423, 572 and 597; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 58, 638, 651, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712 and 713; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 662, 663 and 664; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

May 28, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 94, 95, 96 and 99; and Senate Joint Resolutions Nos. 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 479 and 480; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENROLLED BILLS

May 28, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 61, 128, 263, 481, 622, 626, 751, 792, 924, 1067, 1085, 1090, 1127, 1332, 1372, 1444, 1560, 1742 and 1923; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 61, 485, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 623, 624, 626, 642 and 660; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

May 28, 2003

The Speaker announced that he had signed the following: Senate Bills Nos. 61, 128, 263, 481, 622, 626, 751, 792, 924, 1067, 1085, 1090, 1127, 1332, 1372, 1444, 1560, 1742 and 1923.

SIGNED

May 28, 2003

The Speaker announced that he had signed the following: Senate Resolutions Nos. 94, 95, 96 and 99; and Senate Joint Resolutions Nos. 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 479 and 480.

SIGNED

May 28, 2003

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 61, 485, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 598, 599, 600, 601, 602,

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603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 623, 624, 626, 642 and 660.

MESSAGE FROM THE HOUSE

May 28, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 479 and 480; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

May 28, 2003

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 525, 526 and 537; with his approval.

ROBERT E. COOPER, JR.,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR #1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, May 29, 2003: House Joint Resolutions Nos. 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712 and 713; Senate Joint Resolutions Nos. 600, 601, 602, 603, 604, 605, 606, 607, 609, 613, 614 and 615; and Senate Resolutions Nos. 104 and 105.

This the 28th day of May, 2003.
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR #2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, May 29, 2003: House Joint Resolutions Nos. 454 and 530; Senate Joint Resolution No. 579; Senate Resolutions Nos. 97 and 107; and Senate Bills Nos. 1034, 1036 and 1477.

This the 28th day of May, 2003.
CROWE, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, May 29, 2003: House Joint Resolution No. 445;

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Senate Bills Nos. 287, 675, 412, 602, 899, 1026, 1033, 1273, 1412, 1473, 1479, 1484, 1486, 1488, 1531, 1577, 1669, 1671, 1861, 1874, 1899 and 1971; House Bills Nos. 1256 and 1895; Senate Bill No. 248; and House Joint Resolution No. 75.

This the 28th day of May, 2003.
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
LOCAL BILL
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Thursday, May 29, 2003: Senate Bills Nos. 2044, 2036, 2037, 2042, 2043 and 2045.

**SENATE
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Thursday, May 29, 2003: House Bills Nos. 466 and 1946; Senate Bills Nos. 38, 1665, 1648 and 1344; House Bill No. 1499; and Senate Bills Nos. 1664, 172 and 1472.

REPORT OF COMMITTEE ON DELAYED BILLS

Pursuant to Rule 27, the following resolution was reported out of Committee on Delayed Bills: House Joint Resolution No. 274.

WILDER, Chairperson
May 28, 2003

The Speaker announced that he had referred **House Joint Resolution No. 274** to Committee on Calendar.

ADJOURNMENT

Senator Crutchfield moved the Senate adjourn until 9:00 a.m., Thursday, May 29, 2003, which motion prevailed.